

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SIDNEY KEYS,)
)
 Plaintiff,)
)
 v.) No. 4:10-CV-734-MLM
)
 ST. LOUIS COUNTY SPECIAL DISTRICT,)
)
 Defendant.)

ORDER

This matter is before the Court upon plaintiff's motion to voluntarily dismiss his complaint.

On May 3, 2010, while this action was under review pursuant to 28 U.S.C. § 1915, plaintiff submitted a motion to dismiss requesting that this action be voluntarily dismissed, without prejudice. See Fed. R. Civ. P. 41(a). Because no defendant has served an answer or a motion for summary judgment, see Fed. R. Civ. P. 41(a)(1), the Court will grant plaintiff's motion.

Therefore,

IT IS HEREBY ORDERED that plaintiff's Motion to Dismiss [Doc. #4] is **GRANTED**. See Fed. R. Civ. P. 41(a).

IT IS FURTHER ORDERED that plaintiff's request to proceed in forma pauperis [Doc. #2] is **DENIED**, without prejudice, as moot.

Dated this 5th day of May, 2010.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE